

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Keith Valentino Williams-Johnson,) Civil Action No.: 0:24-4996-BHH
Petitioner,)
v.)
M. V. Joseph,)
Respondent.)

)

ORDER

Keith Valentino Williams-Johnson (“Petitioner”), proceeding *pro se*, filed this action seeking habeas corpus relief under 28 U.S.C. § 2241. In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2), D.S.C., the matter was referred to a United States Magistrate Judge for preliminary review.

On September 16, 2024, the United States Magistrate Judge issued an order directing Petitioner to either pay the filing fee or complete and return an application to proceed *in forma pauperis*. (ECF No. 6.) Petitioner did not respond to the order.

On October 31, 2024, therefore, the Magistrate Judge issued a Report and Recommendation (“Report”), outlining the procedural history and recommending that the Court summarily dismiss this action without prejudice based on Petitioner’s failure to comply with a court order. (ECF No. 10.) On November 13, 2024, the Magistrate Judge’s Report was returned as undeliverable, and Petitioner has not provided the Court with an updated address. (ECF No. 12.) No objections have been filed to the Magistrate Judge’s Report.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final

determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a de novo determination only of those portions of the Report to which specific objections are made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of specific objections, the Court reviews the matter only for clear error. See *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Here, because no objections were filed, the Court has reviewed the record, the applicable law, and the findings and recommendations of the Magistrate Judge for clear error. After review, the Court finds no clear error and agrees with the Magistrate Judge’s analysis. Accordingly, the Court adopts and incorporates the Magistrate Judge’s Report (ECF No. 10), and the Court summarily dismisses this action without prejudice based on Petitioner’s failure to comply with a court order.

IT IS SO ORDERED.

/s/Bruce H. Hendricks
United States District Judge

December 5, 2024
Charleston, South Carolina